

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**JOHNATHAN YASEVICH et al.,  
Each Individually and on Behalf of  
All Others Similarly Situated**

**PLAINTIFFS**

**v.**

**CASE NO. No. 3:20-cv-19-KGB**

**THE HERITAGE COMPANY, INC.  
and SANDRA FRANECKE**

**DEFENDANTS**

**DEFENDANTS' STATEMENT OF UNDISPUTED FACTS**

COMES NOW Defendants, Heritage Company, Inc. ("Heritage"), and Sandra Franecke ("Franecke") by and through their attorneys, Charles Darwin "Skip" Davidson, Nickolas W. Dunn, and the Davidson Law Firm and for their Statement of Undisputed Facts state that there is no genuine dispute to be tried as to the following material facts:

1. Sandra Franecke is a part owner of Heritage.
2. Plaintiffs are former employees of Heritage.
3. Franecke had no direct control or duties associated with hiring and firing Plaintiffs.
4. Heritage had supervisors and human resource representatives that oversaw hiring and firing of employees within the same roles as Plaintiffs.
5. Franecke did not supervise or control the Plaintiffs' work schedules or conditions of employment.
6. Plaintiffs' work schedules and conditions of employment were handled by Plaintiffs' managers/supervisors.
7. Franecke did not handle Plaintiffs' rates of pay or their method of payment.

8. Franecke did not maintain Plaintiffs' employment records.

Respectfully submitted,

Charles Darwin "Skip" Davidson; ABN 73026  
Nickolas W. Dunn, ABN 2019115

**DAVIDSON LAW FIRM**

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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I, Nickolas W. Dunn, do hereby certify that I have sent via:

- ☐ Hand Delivery
- ☐ Telefax
- ☐ Electronic mail
- ☐ U.S. Mail
- ☐ U.S. Mail, Certified, Return Receipt (as noted below)
- ☐ STATE CM/ECF System
- ☒ Federal Court ECF System (as noted below)

this 5<sup>th</sup> day of **June 2023**, a true and complete copy of the forgoing to the following individuals:

**Josh Sanford**

**Daniel Ford**

SANFORD LAW FIRM, PLLC

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Nickolas W. Dunn